

REMARKS

This amendment is being made in response to the Office Action mailed on May 24, 2000. Claims 1- 37 were originally submitted. Claims 1 - 13, 15, 17 , 20, 21, 23 - 27 and 29 - 34 are canceled herein. Claims 14, 16, 18, 19, 22, 28 and 35 - 37 are amended herein. New claims 38 - 55 are added herein.

The disclose is amended above to correct informalities pointed out by the Examiner in Paragraph 2 of the above referenced Office Action as well as to correct other informalities such as minor typographical and format errors. No new matter has been added.

The drawings are amended to add reference number 80 to Figures 5A and 5B in accordance the Examiner's requested correction in paragraph 1.

In paragraph 3, claim 8 is objected to for informalities. Claim 8 is canceled herein.

In paragraph 4, the Abstract is objected to because it has not been limited to a single paragraph. A new abstract, limited to a single paragraph, is submitted herewith on a separate page.

In paragraph 6, claims 1, 2 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Furusawa (US 5, 805,152). Claims 1, 2 and 4 are canceled herein.

In paragraph 7, the Examiner advises Applicant's of their obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made for the examiner to consider the applicability of 35 CFR 103(c) and potential 35 U.S.C. 102(f) of (g) prior art under 35 U.S.C. 103 (a). Applicant's representative hereby submits that the subject matter of all of the claims of the present application was commonly owned at the time that the inventions were made by the joint Applicants.

In paragraph 8 of the above referenced Office Action, claims 3, 8 - 11, 14 - 20, 23 -27 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa. Claims 3, 8 - 11, 15, 17, 20 and 23 -27 are canceled herein. The rejection to claim 19 is respectfully traversed. Claims 14, 16 and 18 are amended herein to overcome the rejection.

The Examiner states that Furusawa teaches a video system utilizing a bar code and that one of ordinary skill in the art would readily recognize that storing the video image, identifying name and other data in a separate data field would be beneficial and would have been obvious. With respect to amended claim 19, Applicant's respectfully submit that Furusawa does not teach or suggest the steps of:

“determining parameters relating to the conditions under which the video image of the element was recorded; and, storing the parameters in data fields established on the memory module with the identifying name of the element associated therewith.”

as required by amended claim 19. According to Applicant's specification on page, 18, lines 20 - 25, camera fields 220 include data relating to the conditions under which the image was recorded, e.g. camera settings, survey element load and ambient environmental conditions at the time the survey image was recorded and other data fields associated with capturing an image of the survey element. These limitations are not taught or suggested by any of the cited prior art. Reconsideration and withdrawal of the rejection of amended claim 19 is hereby respectfully requested.

new claim

With respect to amended claims 14, 16 and 18, Applicant's respectfully submit that amended claim 14 is not taught by any of the cited prior art. Amended claim 14 is directed to a method for capturing a video image and includes the steps of

- (a) storing a predetermined identifying name of the element and other data relating to the element in a memory module associated with the video camera system;
(See specification page 13, lines 4 - 9 and lines 17 - 21 and page 16, lines 18 - 20.)
- (b) associating a barcode with the element, said barcode comprising a bar pattern representative of the predetermined identifying name of the element; (See specification page 15, lines 10 - 13.)
- (c) scanning the barcode with a barcode scanner associated with the video camera system thereby generating an electrical signal in response to scanning the bar pattern; (See specification page 16, lines 11 - 15.)
- (d) interpreting the electrical signal to identify the element to the video camera system; (See specification page 15, lines 16 - 22.)
- (e) recalling the identifying name of the element from the memory module in response to the element being identified to the video camera system; (See specification page 15, lines 22 - 25.)

- (f) displaying the identifying name of the element on a display device associated with the video camera system; (See specification page 15, lines 22 -25 and Figure 3A.)
- (g) capturing the video image of the element with the video camera system; and
(See specification page 16, lines 5 - 6.)
- (h) storing the video image of the element in the memory module with the identifying name of the element associated therewith. (Emphasis Added) (See specification page 16, lines 11 - 15.)

Furusawa does not teach all of the steps of amended claim 14. In particular Furusawa is completely silent about, "storing a predetermined name of the element and other data relating to the element in a memory module associated with the video camera system." }
Moreover, Furusawa does not teach, "associating a barcode with the element, said barcode comprising a bar pattern representative of the predetermined identifying name of the element; scanning the barcode with a barcode scanner associated with the video camera system thereby generating an electrical signal in response to scanning the bar pattern; and interpreting the electrical signal to identify the element to the video camera system."

Instead, Furusawa teaches a multimedia video presentation system which links subjects and services within a video image. (See Col. 1, lines 61 - 65.) In Furusawa, it is, "the video data which contains a subject with an identifier affixed thereto". (See Furusawa, Col. 2, lines 50 - 57 and Col. 3, lines 3 - 13, emphasis added.) According to Furusawa, a bar code identifier is displayed on a screen and either, selected by a mouse, or the bar code pattern displayed on the screen is, scanned by a barcode scanner. (See Furusawa Col. 3, lines 54 - 67, Col. 4, lines 23 - 26 and Col. 5, lines 40 - 48.). This is completely different from Applicant's invention which never records a video image of the barcode pattern but instead scans the barcode pattern from a barcode label associated with the element, ^{is not claimed} interprets the element name from the barcode pattern and then recalls the identifying name of the element from a memory module and displays the name on a display screen, all of which are associated with the video camera system. According to Applicant's invention, each of the steps of amended claim 14 are performed by a video camera system, whereas

it is
a video
camera
system

Furusawa teaches a presentation system for viewing images of the elements stored in memory. With regard to capturing images of the elements, Furusawa merely mentions that the video images may be recorded by a video camera system. Although Furusawa states at Col. 8, lines 3 - 4, that, "barcodes are affixed to subjects and video data is created by taking their pictures with a video camera", there is no teaching that a barcode scanner is in any way associated with the video camera or that anything other than a video image of a barcode is used to identify the subject. Moreover, there is no suggestion in Furusawa the video camera system stores a predetermined identifying name of the element and other data relating to the element in a memory module associated with the video camera system.

Accordingly, Applicant's respectfully submit Furusawa fails to teach all of the limitations of amended claim 14. Furthermore, Furusawa offers no suggestion or motivation to modify a multimedia video presentation system to add a barcode scanner to a video camera system, to store data relating to the element in a memory associated with the video camera system, prior to recording a video image of the element, or to display an element name on a video screen associated with the video camera system, as required by amended claim 14. Applicant's further submit that one of ordinary skill in the art would not have any reasonable expectation of success by combining the teachings of Furusawa with that which was generally know at the time of the invention to arrive at Applicant's invention according to amended claim 14.

For these same reasons, Applicant's respectfully submit that amended dependent claims 16, 18, 19 and 22, which all depend from amended claim 14, are also allowable over Furusawa because these claims further distinguish over amended claim 14.

Regarding amended claim 36, all of the limitations of this claim are also not taught or suggested by Furusawa. In particular, the elements of amended claim 36 are listed below:

- (a) a base computer for preparing a videographic survey database; (See specification page 16, lines 20 - 25.)
- (b) a database program operating on the base computer for creating a separate element record for each survey element with each separate element record comprising an identifying name data field for storing an identifying name of the survey element therein and a plurality of other data fields associated with the

identifying name data field for storing other data associated with the survey element ; (See specification page 17, line 17 - 26 and page 18, lines 8 - 13.)

- (c) a video camera system for capturing a video image of a selected survey element;
- (d) means for transferring the separate element record for each survey element from the base computer to a memory module associated with the video camera system; (See page 16, lines 18 - 20.)
- (e) a plurality of barcode labels associated one with each of the plurality of survey elements of the videographic survey, each barcode label including a bar pattern representative of the identifying name of the survey element associated therewith; (See specification page 19, line 25 - page 20 line 5.)
- (f) a barcode scanner associated with the video camera system for scanning the barcode label associated with the selected survey element to identify the selected survey element to the video camera system; and,
- (g) a digital data processor associated with the video camera system for storing the video image of the selected survey element onto the memory module with the identifying name of the selected survey element associated therewith .

In particular, Furusawa is completely silent about a means for transferring data from the base computer to the video camera, about a barcode scanner associated with the video camera, or, about storing the video image of the selected survey element onto the memory module of the camera system with the identifying name of the selected survey element associated therewith. All of which are specific limitations of amended claim 36.

Accordingly, Applicant's respectfully submit Furusawa fails to teach all of the limitations of amended claim 36. Furthermore, Furusawa offers no suggestion or motivation to modify the multimedia video presentation system described therein to add a barcode scanner to a video camera system, to transfer data relating to the element from a base computer to a memory associated with the video camera system, or, to store a video

image of a selected element on the video camera system with the identifying name of the element associated with the image. Applicant's further submit that one of ordinary skill in the art would not have any reasonable expectation of success by combining the teachings of Furusawa with that which was generally know at the time of the invention to arrive at Applicant's invention according to amended claim 36. Applicant's hereby respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. 103(a) as being unpatentable over Furusawa.

In paragraph 9, claims 5 -7, 12, 13, 21 and 22 are rejected under U.S.C. 103(a) as being unpatentable over Furusawa in view of Wakabayashi et al (5,903,706). Claims 5 -7, 12, 13 and 21 are canceled. Regarding amended claim 22 Applicants respectfully traverse the rejection.

The Examiner states that Wakabayashi et al. teach a video camera unit featuring a card slot for receiving a PCMCIA card an a selection button and a cursor. Applicant's agree that Wakabayashi et al. teaches the features listed by the Examiner, however, for the reasons stated above, neither Furusawa or Wakabayashi et al. teach all of the limitations of amended claim 22. Reconsideration and withdrawal of the rejection to claim 22 is hereby respectfully requested.

In paragraph 10, claims 28 - 35 and 37 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Furusawa in view of Beller et al. (US 5,602,377). Claims 29 - 34 are canceled herein. With regard to amended claims 28, 35 and 37, the Examiner states that Beller et al. teach a barcode label printer which may convert human-readable characters, inputted via a key pad or keyboard into a barcode to be printed onto a label. The Examiner further states that Beller et al. teach a remote database or base computer which transmits data to a microprocessor of a barcode scanning and labeling device. Applicant's respectfully traverse the rejection.

Applicant's agree that the features listed above are indeed taught by Beller et al. but fail to understand how these features when combined with the teachings of Furusawa would lead to the invention of amended independent claim 28 or amended dependent claim 35. Amended claim 28 claims the following steps:

- (a) preparing a videographic survey database on a base computer operating a database program for storing and organizing data, the videographic survey database including a separate element record for each of the survey elements

with each separate element record comprising an identifying name data field for storing an identifying name of the survey element and a plurality of other data fields associated with the identifying name data field for storing other data associated with the survey element, the other data fields including data fields for storing any one of, a video image, an audio data file, a text data file and a graphics data file ; (See specification page 17, line 20 - page 18, line 13.)

- (b) transferring the separate element record for each element of the survey from the base computer to a memory module associated with a video camera system;
(See specification page 16, lines 18 - 20,)
- (c) associating a barcode, including a bar pattern representative of the identifying name of the element, with each of the survey elements; (See specification page 19, line 25 - page 20, line 9)
- (d) selecting one of the survey elements of the videographic survey for recording a video image thereof;
- (e) scanning the barcode associated with the selected survey element with a barcode scanner associated with the video camera system to determine the identifying name of the selected element thereby identifying the selected element to the video camera system;
- (f) recalling the element record associated with the selected element from the memory module;
- (g) capturing a video image of the selected element with the video camera system;
- (h) converting the video image to a digital video image within the video camera system; and,

- (i) storing the digital video image in an appropriate data field of the element record.

The Beller et al. system is directed to a scanning and labeling device for scanning an original barcode dataform affixed to a product and for printing a modified barcode dataform on the label with the modified barcode data form including additional data retrieved from the remote database. (See Beller et al. Col. 5 lines 56 -63.) The Examiner further states that, "One of ordinary skill in the art would have readily recognized that a barcode labeler gives the user a physical and tangible embodiment of the barcode representative of an image of a particular subject stored in memory." Applicant's respectfully submit that the combined references failed to teach all of the limitations of amended claim 28.

Amended claim 28 is directed to a method for performing a videographic survey of a plurality of survey elements. No such method is mentioned by either Furusawa or Beller et al. The step of amended claim 28 for, "preparing a videographic survey database on a base computer", is not taught by either Furusawa or Beller et al. Although Beller et al. do teach preparing a database, listing product information, there is no mention of preparing a database which relates to capturing images of survey elements. Likewise, the step of amended claim 28 of, "transferring the separate element record for each element of the survey from the base computer to a memory module associated with a video camera system" is also not taught by either Furusawa or Beller et al. Although Beller et al. teach transmitting data from a remote database to a scanning labeling device, there is no suggestion of transferring data from a database to a video camera system in either Furusawa or Beller et al. Moreover, none of the steps of; "capturing a video image of the selected element with the video camera system; converting the video image to a digital video image within the video camera system; or storing the digital video image in an appropriate data field of the element record", are taught by either Furusawa or Beller et al. ← describe
that F. teaches
a "survey"
3 11/5 103

Applicants' respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness because Furusawa and Beller et al. fail to teach all of the claim limitations of amended claim 28. Moreover, there is no suggestion or motivation in the references, whether taken alone or in combination, or when combined with the knowledge generally available to one of ordinary skill in the art at the time of the invention, to modify the references or combine their teachings to arrive at Applicant's invention according to amended claim 28. Accordingly, Applicant's respectfully submit that amended claim 28 is

patentably distinct over the cited references. For the same reasons amended claim 35 which depends from amended claim 28 and therefore further distinguishes over Furusawa must also be patentable over the cited references. Accordingly, Applicant's respectfully request reconsideration and withdrawal of the rejection of amended claims 28 and 35 under 35 U.S.C. 103(a) as being unpatentable over Furusawa in view of Beller et al.

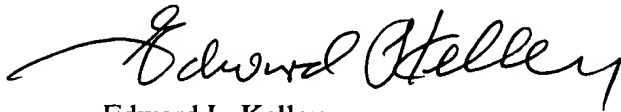
With respect to claim 37, this claim depends from amended independent claim 36 which as stated above includes features which are not taught or suggested by Furusawa .

Applicants' therefor respectfully submit that for the reason stated in connection with amended claim 36, the Examiner has failed to establish a *prima facie* case of obviousness because Furusawa and Beller et al. fail to teach all of the claim limitations of amended claim 37. Reconsideration and withdrawal of the rejection of amended claim 37 under 35 U.S.C. 103(a) as being unpatentable over Furusawa in view of Beller et al. is hereby respectfully requested.

New claims 38 - 55 are submitted herein. New claims 38 - 40 depend from amended claim 14 and therefor further distinguish over amended claim 14, which for the reasons stated above, is allowable over the prior art of record. New claim 41 depends from amended claim 28 and therefor further distinguishes over amended claim 28, which for the reasons stated above, is allowable over the prior art of record. New claims 42 and 43 depend from amended claim 36 and therefor further distinguish over amended claim 36, which for the reasons stated above, is allowable over the prior art of record. New claims 44 - 50 are directed to an integrated video camera system for capturing a video image of a selected videographic survey element. The features of new claims 44 - 50 are not taught or suggested by any of the prior art of record. Also, new claims 51 - 55 are directed to a system for conducting a videographic survey which includes a base computer operating a video survey database and a video camera system. These features are also not taught or suggested by any of the prior art of record.

Applicants submit that the present application is in condition for allowance. Early indication thereof is hereby earnestly requested. Applicants representative can be reached by telephone at 781-863-6480, or e-mail at "kelley.ima@rcn.com", and would be willing to further discuss this amendment with the Examiner in order to put the application in condition for allowance.

Submitted for Applicants by



Sept. 24, 2000

Edward L. Kelley

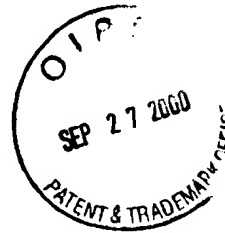
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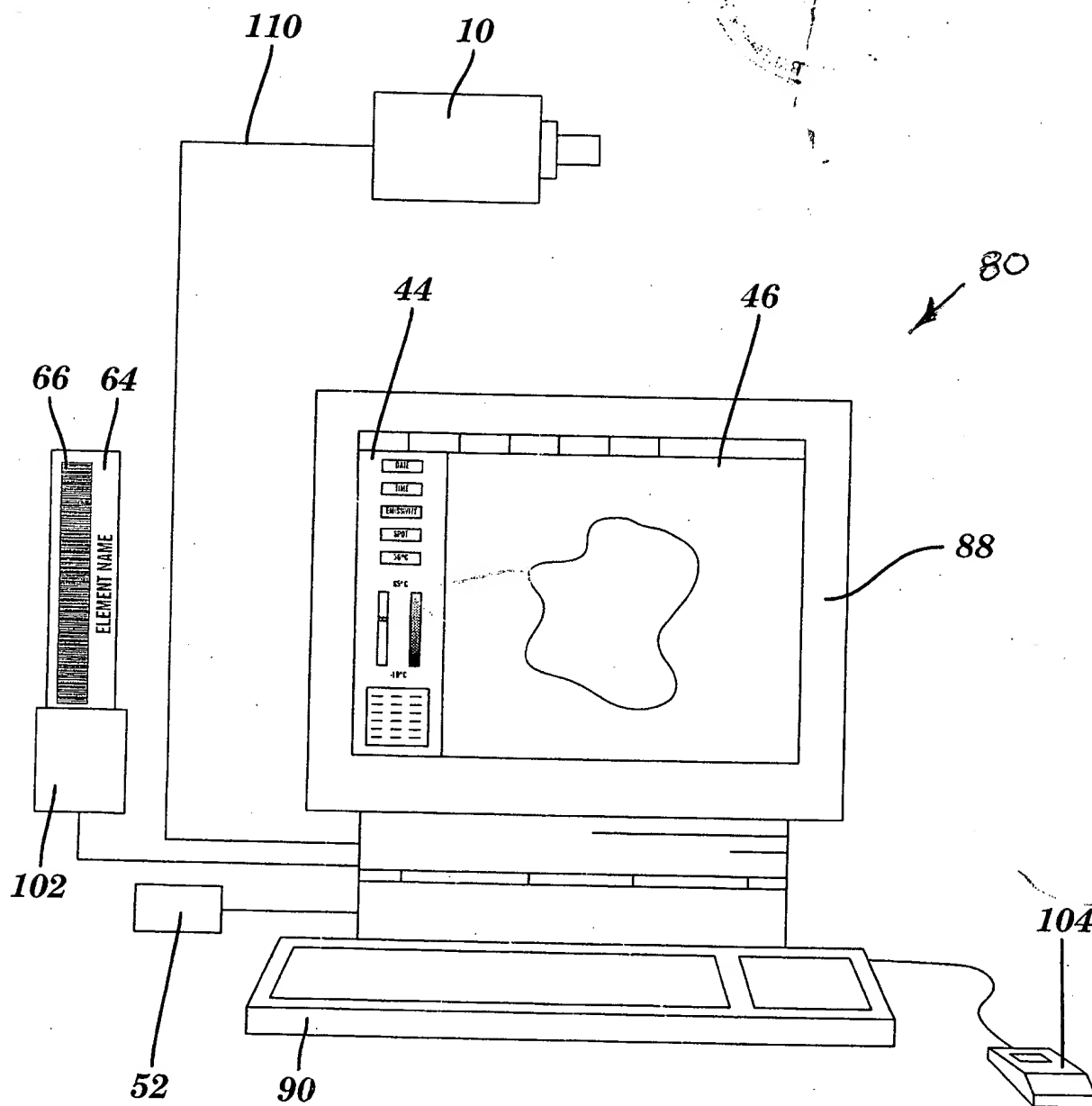
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**FIG. 5A**

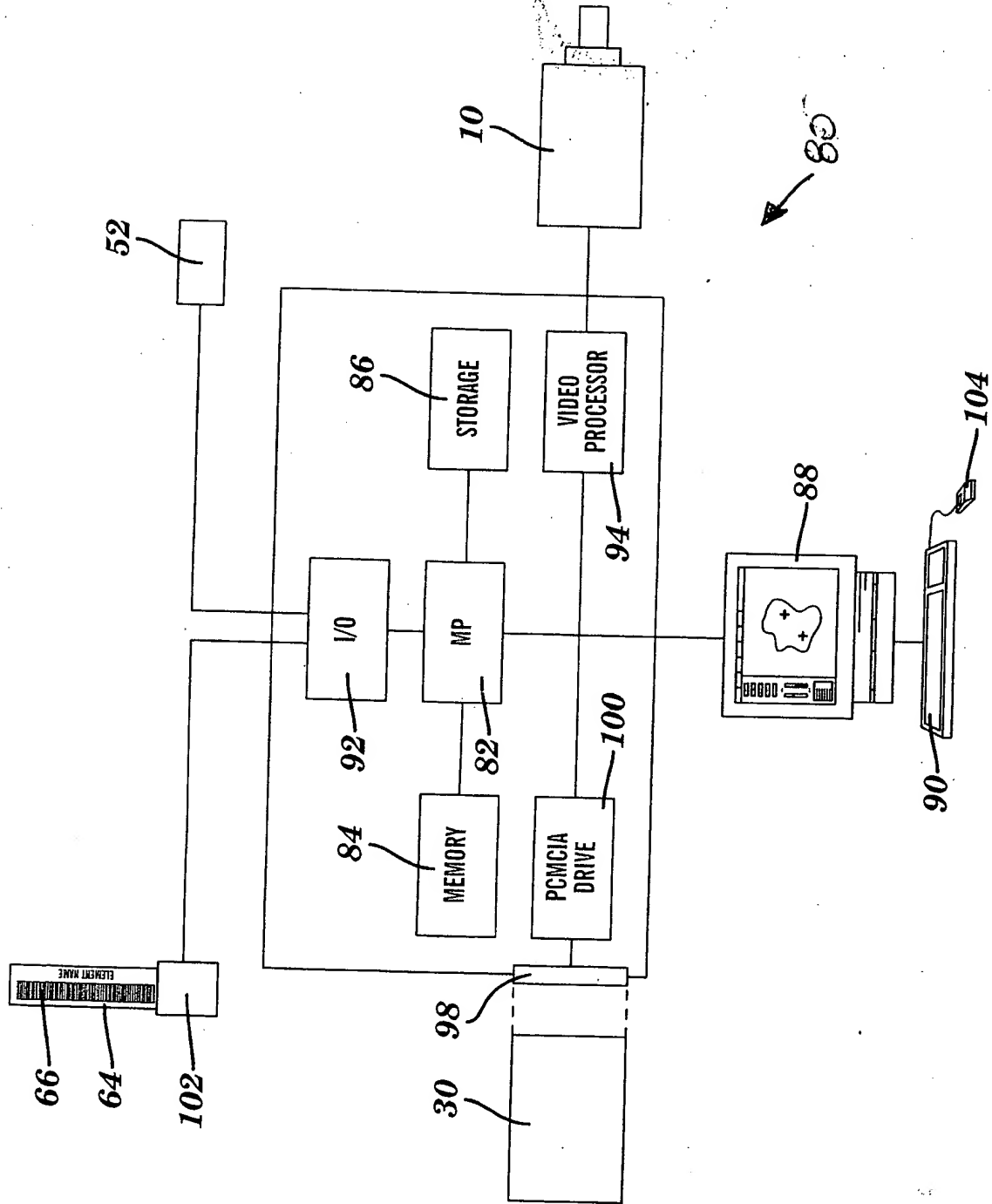


FIG. 5B